

REMARKS

Claims 9, 15-16, 27-28, 32-34, and 39-40 have been cancelled. Claims 1, 17-26, 29-31, 35-36, 41-42, and 45 have been amended to clarify the subject matter regarded as the invention. Claims 1-8, 10-14, 17-26, 29-31, 35-38, and 41-53 are pending.

The Examiner has rejected claims 1 and 45 under 35 U.S.C. § 103(a) as being unpatentable over US 2002/00331331 A1 (Kwoh) in view of U.S. Patent No. 5,818,510 to Cobbley et al (Cobbley). The rejection is respectfully traversed.

Kwoh teaches that "[t]he user inserts the un-indexed recorded tape, which for example could be a tape recorded on a camcorder, into the VCR 10 and actuates the re-indexing by entering a command via keypad.... The microprocessor controller 31 displays an instruction for the user to advance the tape to the start of the first program. ... In response to an INDEX command from the user, the microprocessor controller 31 writes a VISS mark in the control track 246 (step 406). The microprocessor controller 31 then displays on the display 32e a prompt to the user to enter the title of the first program or show on the tape (step 407)." Kwoh, page 5, paragraph #0060.

Kwoh also states that "it is assumed that the camcorder or VCR are in the record mode. In step 502 it is determined whether a voice title button is pushed. If a voice title button has been pushed then the camcorder/VCR records a voice title voiced by a user on the tape in step 504." Kwoh, page 5, paragraph #0063.

Writing a VISS mark in the control track of a tape after displaying "an instruction for the user to advance the tape to the start of the first program" and recording a voice title to a camcorder or VCR at the same time the camcorder or VCR is recording the content being marked do not satisfy the requirement recited in claim 1 that "the non-contemporaneous mark is specified by the user at a time when the recording data with which the non-contemporaneous mark is associated is neither being obtained by the recording unit nor displayed to the user and other recording data of activities occurring at the marking time is being obtained by the recording unit" as recited in claim 1. As such, claim 1 is believed to be allowable.


Claims 2-8, 10-14, 17-26, 29-31, 35-38, and 41-44 depend from claim 1 and are believed to be allowable for the same reasons described above. Independent claim 45 recites "wherein the non-contemporaneous mark is specified by the user at a time when the recording data with which

the non-contemporaneous mark is associated is neither being obtained by the recording unit nor displayed to the user and other recording data of activities occurring at the marking time is being obtained by the recording unit," and is believed to be allowable for the same reasons as claim 1. As claims 46-53 depend from claim 45, Applicants also submit that these claims are allowable for the same reason as claim 1.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: 12-23-04



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